

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

OTES G. RODRIGUEZ,

Petitioner,

v.

DALE ARTUS,

Respondent.

ORDER
07-CV-185S

1. On February 20, 2008, this Court referred this matter to the Honorable Leslie G. Foschio, United States Magistrate Judge, for all pretrial matters and to hear and report on a recommended disposition of this case pursuant to 28 U.S.C. § 636(b)(1). (Docket No. 11.)

2. On January 29, 2009, Judge Foschio issued a Decision and Order resolving several of Petitioner's pretrial motions. (Docket No. 43.) Petitioner filed Objections to Judge Foschio's Order on February 10, 2009. (Docket No. 44.)

3. Pursuant to 28 U.S.C. § 636(b)(1)(A), a magistrate judge may, with certain exceptions, hear and determine any pretrial matter pending before the court. The magistrate judge's order on such a pretrial matter will be reconsidered by the district judge only when it has been established that it is clearly erroneous or contrary to law. See 28 U.S.C. § 636(b)(1)(A). Although it is obvious that Petitioner disagrees with Judge Foschio's Decision and Order, Petitioner has not established that it is clearly erroneous or contrary to law. Finding no legal error, this Court will deny Petitioner's Objections.

IT HEREBY IS ORDERED, that Petitioner's Objections (Docket No. 44) to Judge Foschio's Decision and Order (Docket No. 43) are DENIED.

SO ORDERED.

Dated: April 1, 2009
Buffalo, New York

/s/William M. Skretny
WILLIAM M. SKRETNY
United States District Judge